

City Council
Atlanta, Georgia

05- 0-1307

AN ORDINANCE
BY: ZONING COMMITTEE

Z-05-58
Date Filed: 6-10-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **19 Weatherby Street, S.E.**, (aka Wetherby Street), be changed from the RG-3C (Residential General Sector 3 Conditional) District to the MR4A (Multi family Residential-eight story multifamily) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 13, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

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PARCEL ONE:
All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 13 of the 14th District of Fulton County, Georgia, known as Lots 47, 48 and 49 of the William M. Hunt Property, as per plat of same by O. F. Kauffman and Brother, dated November, 1912, and recorded in Plat Book 7 page 136, Fulton County Records, and more particularly described as follows: BEGINNING at a point on the west side of Wetherby Street 130 feet north of the northwest corner of Wetherby Street and Wylie Street, at the north side of a 10-foot alley; running thence north along the west side of Wetherby Street 120 feet; thence west 104 feet to the east side of a 10-foot alley; thence south along the east side of said alley 115 feet to a point; thence southwesterly 7.1 feet to the north side of another alley running east from the alley next above referred to; thence west along the north side of said last mentioned alley 99 feet to Wetherby Street at the point of beginning.

PARCEL TWO:

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 13 of the 14th District of Fulton County, Georgia, more particularly described as follows: BEGINNING at a point 100 feet north of a point on the north side of Wylie Street located 114 feet west of the northwest corner of Wylie Street and Wetherby Street, said beginning point being also 114 feet west of Wetherby Street; running thence west parallel with and 100 feet north of Wylie Street, a distance of 174 feet; thence north along a line forming an interior angle of 89° 33' with the previous course, a distance of 17 feet; thence westerly 82 feet to a point 121 feet north of Wylie Street, as measured at right angles thereto; running thence north along a line forming an interior angle of 92°

24' with the previous course, a distance of 130 feet to a point; thence westerly along a line forming an exterior angle of 92° 12' with the previous course a distance of 32 feet to a point; thence a little west of north 80 feet; thence east 10 feet; thence north 60 feet to a point on the south side of Renfro Alley; thence easterly along the southern side of Renfro Alley 141 feet to a turn in said alley; continuing thence easterly along the southern side of Renfro Alley, 132.8 feet to the west side of a 10-foot alley which runs north and south parallel with Wetherby Street; running thence south along the west side of said last mentioned alley, which is along a line forming an interior angle of 93° 59' with the previous course, a distance of 291 feet to the point of beginning; said metes and bounds, courses and distances being taken from plat by Harold L. Bush, Surveyor, dated May 3, 1951, entitled survey for Mr. G. J. Camp, a copy of which is on file in the Office of Atlanta Title Company.

This conveyance is made subject to the following easements and all other easements, rights of way, and building restrictions on or against the above described property:

Easement from F. P. Green to the City of Atlanta, dated March 16, 1939 (Deed Book 1714, page 117) to construct and maintain storm water sewer across property of Grantor on the south side of Tin Cup Alley.

Easement from Mrs. Lottie Kamspeck to the City of Atlanta, dated March 24, 1939 (Deed Book 1720, page 460) to construct and maintain storm water sewer across property of Grantor as described in Deed Book 866 page 430. (Affects property on south side of Renfro Alley).

Easement from R. J. Reid Contracting Company (an Alabama Corporation) to Atlanta Gas Light Company, dated November 25, 1935, filed for record December 7, 1935 and recorded in Deed Book 3065 page 472, Fulton County Records, for the right to lay, construct, maintain, repair, replace, operate and remove at will a gas pipe line in and through caption property.

PARCEL THREE:

A parcel of land lying and being in Land Lot 13 of the 14th District of Fulton County, Georgia, being Lot 51 of the William M. Hunt Property according to plat of record in Plat Book 7 page 136, Records of Fulton County, Georgia, and more fully described as follows: BEGINNING at a point on the northwest side of Boulevard Drive (formerly Wetherby Street) 297.15 feet northeast from the northwest corner of the intersection of Boulevard Drive and Wylie Street; running thence northeasterly along the northwest side of Boulevard Drive 40 feet; thence northwesterly 120 feet to the southeasterly side of a 10-foot alley; thence southwest along said alley 40 feet; thence southeasterly 120 feet to the northwest side of Boulevard Drive and the point of beginning.

PARCEL FOUR:

A parcel of land lying and being in Land Lot 13 of the 14th District of Fulton County, Georgia, being described as follows: To find the point of beginning, commence at the intersection of the westerly right of way line of Wetherby Street with the northerly right of way line of

Approx
100,000 SF of
LAND

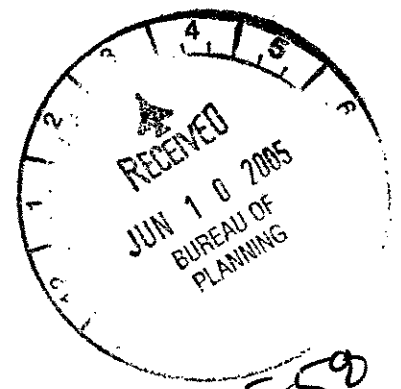


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Wylie Street, and run then in a northerly direction along the westerly right of way line of Wetherby Street a distance of 250.30 feet to an iron pin which is the point of beginning. From the point of beginning as thus established, running thence northerly and northeasterly an arc distance of 47.15 feet, said arc having a chord distance of 44.25 feet and a chord bearing of north 40° 47' 30" east, to an iron pin; thence running north 27° 51' west 120.0 feet to an iron pin; thence running north 88° 49' west 50.00 feet to an iron pin; thence running south 02° 00' east 56.86 feet to an iron pin; thence running south 32° 22' east 99.06 feet to an iron pin; thence running south 89° 40' east 22.13 feet to an iron pin, which is the point of beginning; said property is more particularly described and delineated on that certain plat of survey prepared for Land Development Projects, Inc., by Kenneth L. Nutt of Perimeter Surveying Company, Inc., dated January 31, 1983, and revised March 18, 1983, which plat is incorporated herein by reference and made an integral part hereof.

The parcel comprises a portion of Lot No. 50, said Lot No. 50 in its entirety being recorded in a plat appearing at Plat Book 7 page 136, Fulton County, Georgia Records.

PARCEL FIVE:

A parcel of land lying and being in Land Lots 13 and 14 of the 14th District of Fulton County, Georgia, and being more particularly described as follows: BEGINNING at a point on the northwesterly side of Boulevard Drive (formerly Wetherby Street) 518.2 feet southwesterly from the northwest corner of Boulevard Drive and Walthall Streets (formerly Porter Street), and running thence southwesterly along the northwest side of Boulevard Drive 40 feet to Lot No. 52; thence northwest along the line of Lot No. 52, 120 feet to an alley; thence running northeasterly along the southeast side of said alley 40 feet to Lot No. 54; thence running southeasterly along the southeast side of Lot No. 54, 120 feet to the point of beginning; being Lot No. 53 of the William M. Hunt property, as per plat by Kaufman and Bros., November, 1912, recorded in plat book 7 page 136; and being improved property known as No. 1030 Boulevard Drive, NE, Atlanta, Georgia.

PARCEL SIX:

A parcel of land lying and being in Land Lot 13 of the 14th District of Fulton County, Georgia, being more particularly described as follows: To find the point of beginning, commence at the intersection of the westerly right of way line of Wetherby Street with the northerly right of way line of Wylie Street, and run thence in a northerly direction along the westerly right of way line of Wetherby Street a distance of 250.30 feet to an iron pin; run thence north 89° 40' west a distance of 22.13 feet to an iron pin, which is the point of beginning. From the point of beginning thus established, running thence north 89° 40' west 81.87 feet to an iron pin; running thence north 00° 30' east 137.30 feet to an iron pin; running thence northerly and northeasterly on arc distance of 7.16 feet, said arc having a chord distance of 3.50 feet and a chord

bearing of north 22° 20' east, to a point; running thence south 88° 49' east 24.34 feet to a point; running thence south 02° 00' east 56.86 feet to a point; running thence south 32° 22' east 99.06 feet to an iron pin, which is the point of beginning; said property is more particularly described and delineated on that certain plat of survey prepared for Land Development Projects, Inc., by Kenneth L. Nutt of Perimeter Surveying Company, Inc., dated January 31, 1983, and revised March 18, 1983, which plat is incorporated herein by reference and made an integral part hereof.

The parcel conveyed by this Deed comprises a portion of Lot No. 50, said Lot No. 50 in its entirety being recorded in a plat appearing in Plat Book 7 page 136, Fulton County, Georgia Records.

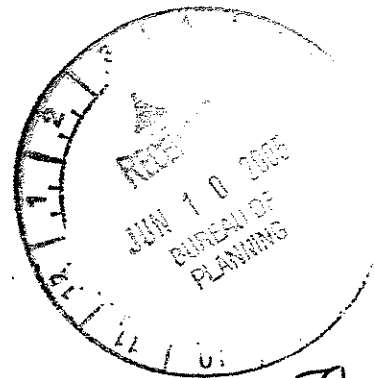
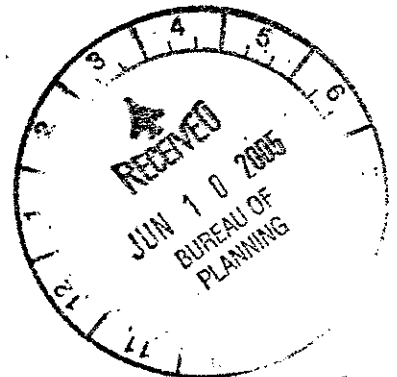


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All that tract or parcel of land lying and being in Land Lot 13 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the northwest side of Boulevard Drive, N.E., (formerly Wetherby Street) 337.15 feet northeast from the northwesterly corner of the intersection of Boulevard Drive, N.E. (formerly Wetherby Street) and Wylie Street; running thence northeast along the northwest side of Boulevard Drive, N.E. (formerly Wetherby Street) 40 feet; running thence northwest 120 feet to the southeast side of a 10-foot alley; running thence southwest along the southeast side of said alley 40 feet; running thence southeast 120 feet to the northwest side of Boulevard Drive, N.E. (formerly Wetherby Street) and the point of beginning, being improved property having thereon a dwelling house and being known as No. 1026 Boulevard Drive, N.E. (formerly Wetherby Street) according to the present system of numbering houses in the City of Atlanta, Georgia.



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